

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN R. FISHER,
Plaintiff,

v.

MEGAN L. KING, ESQ., Individually and in her
Official Capacity as Assistant District Attorney for
Lancaster County, Pennsylvania, and ERIC
ZIMMERMAN, Individually and in his Official
Capacity as Detective for Northern Lancaster
County Pennsylvania Regional Police Department,

Defendants.

CIVIL ACTION
NO. 15-6134

ORDER

AND NOW, this 19th day of July, 2016, after review of the Motion to Dismiss of Defendant King and the Motion to Dismiss of Defendant Zimmerman and the Memoranda of Law in support of both, as well as Plaintiff's opposition thereto, it is hereby **ORDERED** as follows:

1. The Motion to Dismiss of Defendant, Megan L. King, Esq. (Docket No. 10), is **DENIED**;
2. The Motion to Dismiss of Defendant, Eric Zimmerman (Docket No. 8), is **GRANTED** in part and **DENIED** in part;
3. The Motion to Dismiss of Defendant, Eric Zimmerman, is **GRANTED** only as to the official capacity claim against Defendant Zimmerman, and is **DENIED** in all other respects; and
4. If Plaintiff wishes to pursue an official capacity claim against

Defendant Zimmerman, he shall file an Amended Complaint within twenty (20) days of the date of this order that properly pleads such a claim.

BY THE COURT:

/s/ Jeffrey L. Schmehl
Jeffrey L. Schmehl, J.